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August 2, 2006

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VIA ECFS

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: *Notice of Ex Parte Presentation*, Review of the Spectrum Sharing Plan
Among Non-Geostationary Satellite Orbit Mobile Satellite Service Systems
in the 1.6/2.4 GHz Bands, IB Docket No. 02-364

Dear Ms. Dortch:

On August 1, 2006, Donna Bethea Murphy, Vice President, Regulatory Engineering of Iridium, and Mike Senkowski and Gregg Elias of Wiley Rein & Fielding LLP, as counsel to Iridium, met with Emily Willeford, International Advisor and Deputy Chief of Staff for Chairman Martin. In this meeting, the participants discussed aviation related issues as described in the attached document.

Pursuant to Section 1.1206(b)(2) of the Commission's rules, a copy of this letter and attachment is being filed electronically for inclusion in the above-noted docket.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Jennifer D. Hindin', written over a horizontal line.

Jennifer D. Hindin

Attachment

cc: Emily Willeford (via email)

Globalstar has maintained that sharing of spectrum with Iridium is not possible because its aviation services require discrete and dedicated channels for interference free operation. In June of 2004, Globalstar filed comments maintaining that its existing aviation services would be harmed by sharing with Iridium. However, in the wake of Hurricane Katrina, Iridium received Special Temporary Authority to operate in spectrum used for Globalstar's aviation services. In the ensuing 60 days of shared operation, there was no evidence of any interference to any of Globalstar's services, including aviation services, as acknowledged by the company and despite roughly 500% increases in communications usage during the post-hurricane crisis.

Just three months ago, Globalstar disclosed for the first time that the channels purportedly dedicated for aviation services also were being used by Globalstar for voice and data services. Thus, during the post-hurricane Katrina period, Globalstar and Iridium were both providing voice and data services in the two channels that allegedly must be dedicated for aviation services to avoid interference problems.

The facts speak for themselves. Globalstar's claims of potential interference problems are belied by real world experience. The massive communications use of the two aviation channels during a national disaster did not result in any interference. Nor is there any basis for accepting Globalstar's continued and contrived objections to spectrum sharing — particularly, in light of Globalstar's own professed expertise in operating on a non-interfering shared basis where sharing advances its interests such as its recent ATC request.

Set forth below are Globalstar's own statements that confirm the points described above:

1. ***Globalstar Originally Claimed that Dedicated Spectrum Is Needed for its Aviation Services and Sharing with Iridium or Other Services Is Not Possible.*** Globalstar initially argued (in March and May 2004) that it needed dedicated spectrum to provide future aviation services:

“...Globalstar's frequency plan, in which separate 1.25 MHz CDMA channels are assigned to service types such as MSS voice/data, aviation, simplex telemetry and ATC.”¹

2. ***The Dedicated Aviation Spectrum, However, Was Shared with Iridium following Hurricane Katrina for Two Months with No Interference Resulting.*** Following Katrina, Iridium used spectrum in this band for 60 days (with Globalstar operating its aviation services during that time), without any interference. Indeed, Globalstar noted in its public comments to the FCC's Katrina panel that even though “Globalstar's calling increased 566 percent in the week following Katrina”, Globalstar was able to “maintain our quality of service...”²

¹ See Globalstar March 19, 2004 ex parte in IB Docket No. 02-364 at page 5.

² See Globalstar January 27, 2006 comments to Public Notice 06-57 at page 2.

3. ***Globalstar Recently Disclosed that its Supposedly Dedicated “Aviation Channels” Are Actually Being Used for Non-Aviation Services without Interference.*** In April of this year, Globalstar suddenly changed course and admitted that its use of spectrum above 1616 MHz was not solely for aviation services:

“Notably, these aviation channels are not, and have never been, dedicated solely to aviation traffic, because that would constitute an inefficient use of the spectrum. The channels are used also to provide MSS voice and data services throughout the country, especially during times of emergency when increased demand for Globalstar’s services requires Globalstar to focus its capacity on an affected area.”³

4. ***The Aviation Services in Question Are Used for General Communications Rather than Safety of Life or FAA Flight Communications.*** Aviation services, as marketed and deployed by Globalstar, are not safety of life services nor FAA flight communications. Rather, this service is focused on voice and data traffic from airplanes and helicopters, allowing for voice calls to the ground and internet connections.⁴

5. ***Globalstar Recently Touted its Expertise and Skill in Sharing Spectrum on a Non-Interfering Basis in its Pending ATC Request.*** When it suits its purposes, Globalstar has demonstrated that sharing of Big LEO spectrum is practical and possible. For example, in its pending Petition for Rulemaking Globalstar states:

“Indeed, Globalstar’s system is ideally suited to the competing requirements of accommodating others while optimizing system capacity because its system architecture uses a combination of central and distributed network control.”⁵

³ See Globalstar April 17, 2006 ex parte filing in IB Docket No. 02-364 at page 3.

⁴ See e.g., <http://www.globalstarusa.com/en/products/rcom100.php>

⁵ See Globalstar Petition for Expedited Rulemaking, filed June 20, 2006, at page 20.